

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ROBERT L. JOHNSON,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 05-0655-BH-M
LEVAN THOMAS,	:	
Defendant.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Recommendation of the Magistrate Judge (Doc. 50) made under 28 U.S.C. § 636(b)(1)(B) is ADOPTED as the opinion of this Court. It is **ORDERED** that the motion for summary judgment filed by Defendant Levan Thomas be and is hereby **GRANTED**, that this action against Defendant Thomas be and is hereby **DISMISSED with prejudice**, and that judgment be entered in favor of Defendant Thomas and against Plaintiff, Robert L. Johnson, on all claims. It is **FURTHER ORDERED** that Plaintiff's action against Defendant Greg Pierce be and is hereby **DISMISSED** without prejudice for failure to prosecute.

DONE this 26th day of February, 2008.

s/ W. B. Hand
SENIOR DISTRICT JUDGE